

DOUGLAS T. SLOAN, City Attorney
CITY OF FRESNO
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Attorneys for the CITY OF FRESNO

RE:

**RECORDS REGARDING
CRIME SCENE INVESTIGATION
RELATING TO JOHN LANG**

**SUPPLEMENTAL RESPONSE
TO PUBLIC RECORDS ACT
REQUEST FOR DOCUMENTS
(Gov. Code, § 6250, et seq.)**

The City of Fresno (City) incorporates by reference the City's earlier response submitted to Kim Crooks on July 9, 2019. The City provides this supplemental response to a request pursuant to the California Public Records Act (Gov. Code, § 6250, et seq.) by Kim Crooks via MuckRock News, regarding **any and all crime scene investigation related to John Lang of Fresno, CA (Fresno Coroner Case #16-01.222) and related material including, but not limited to: crime scene photographs, crime scene evidence photographs, crime scene victim photographs, all related reports from all related first responders, including but not limited to: firefighters, the coroner's office, the emergency first responders, and the Fresno police department first responders, as follows:**

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1 1. The City continues to object to this request to the extent: (a) it seeks disclosure of
2 documents not required to be disclosed under the investigatory records exemption (Gov. Code, §
3 6254(f); *Williams v. Superior Court* (1993) 5 Cal.4th 337; *Haynie v. Superior Court* (2001) 26
4 Cal.4th 1061); (b) it seeks disclosure of documents and information that are protected by a third party
5 right to privacy (Gov. Code § 6254(k)); (c) it seeks disclosure of documents and information that are
6 protected by the Health Insurance Portability and Accountability Act of 1996 (HIPAA) (Gov. Code,
7 § 6254(k)); and (d) the public interest served by not disclosing such information and/or records
8 clearly outweighs the public interest served by disclosure of these records. (Gov. Code, § 6254(a).)

9 2. The City further objects to this request to the extent: (a) it seeks disclosure of postmortem
10 or autopsy photographs not required to be disclosed under to (Gov. Code, § 6254(k)); Code Civ.
11 Proc., § 129); and (b) it seeks disclosure of pre-decisional documents or drafts. (Gov. Code, §
12 6254(a).)

13 3. Without waiving the abovementioned objections, the City's Fire Department produces
14 additional documents responsive to this request, with privileged information and/or records
15 redacted, attached as Exhibit B.

16 4. Without waiving the abovementioned objections, the City's Fire Department produces
17 photographs responsive to this request, with privileged information and/or records redacted,
18 attached as Exhibit C.

19 DATED: August 8, 2019.

Respectfully submitted,

DOUGLAS T. SLOAN

City Attorney

By: 

FRANCINE M. KANNE

Chief Assistant City Attorney

Attorneys for CITY OF FRESNO

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PROOF OF SERVICE
CCP §§ 1011, 1013, 1013a, 2015.5
FRCP 5(b)

STATE OF CALIFORNIA, COUNTY OF FRESNO

I am employed in the County of Fresno, State of California. I am over the age of 18 and not a party to the within action; my business address is 2600 Fresno Street, Fresno, CA 93721-3602.

On August 8, 2019, I served the document described as **SUPPLEMENTAL RESPONSE TO PUBLIC RECORDS ACT REQUEST FOR DOCUMENTS** on the interested parties in this action ☐ by placing the true copies thereof enclosed in sealed envelopes addressed as stated on the attached mailing list: ☒ by placing ☐ the original ☒ a true copy thereof enclosed in sealed envelopes addressed as follows:

Kim Crooks
c/o MuckRock News
DEPT MR 75384
411A Highland Ave
Somerville, MA 02144-2516
Email: 75384-58378498@requests.muckrock.com

☐ BY MAIL ☐ I deposited such envelope in the mail at Fresno, California. The envelope was mailed with postage thereon fully prepaid.

☐ As follows: I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. postal service on that same day with postage thereon fully prepaid at Fresno, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

☐ (BY PERSONAL SERVICE) I caused such envelope to be hand delivered.

☐ (BY FAX) I caused the above-referenced document to be transmitted by fax to the addressee(s) at the fax number(s) shown.

☐ (BY OVERNIGHT COURIER) I caused the above-referenced envelope(s) to be delivered to an overnight courier service for delivery to the addressee(s).

☒ (BY ELECTRONIC MAIL) I caused the above-referenced document to be transmitted by electronic mail (e-mail) to the addressee(s) at the e-mail(s) shown.

Executed on August 8, 2019, at Fresno, California.

☒ (State) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.


Kimberly Hernandez

SUPPLEMENTAL RESPONSE TO PUBLIC RECORDS ACT REQUEST